

111 Amendment
09/728,193 (09792909-4714)
Page 10

REMARKS

Claims 1 and 23 have been amended, claims 21 and 22 have been canceled, and new claims 25 and 26 have been added herein. Upon entry of this amendment, claims 1, 2, 4-20, and 23-26 will be pending in the above-identified application.

Section 112

Applicant respectfully requests reconsideration of the rejection of claims 1 and 23 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, and second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 23 have been amended to delete the recitation "without alignment with respect to said first plurality of patterns."

As shown in Figs. 2, 4, and 5, a region R of the second pattern does not overlie the first pattern, but instead pattern elements of the second pattern overlie the windows of the first pattern in the region R to ensure no dislocations reach the surface of the crystal substrate. (See page 11, lines 2-5, page 13, lines 13-21, page 14, lines 1-2, and page 15, lines 15-19). Accordingly, each pattern element of a pattern need not both partly overlie and partly not overlie a pattern element of another pattern. Rather, a pattern may have pattern elements that only overlie a pattern element of another pattern, may have pattern elements that do not overlie a pattern element of another pattern, and/or may have pattern elements that both partly do and partly do not overlie a pattern element of another pattern. Accordingly, Applicant submits the recitation "wherein the second plurality of patterns at least partly overlies the first plurality of patterns in the direction of the thickness of the crystal and at least partly does not overlie the first plurality of patterns in the direction of the thickness of the crystal" of claim 1 and similar recitations of claim 23 are described in the specification in such a way as to satisfy the enablement requirement of Section 112.

In view of the above, the Section 112 rejections of claims 1 and 23 are improper and should be withdrawn.

111 Amendment
09/728,193 (09792909-4714)
Page 11

Section 103

Applicant respectfully requests reconsideration of the rejection of claims 1, 2, 4, 7, 11-20 and 23-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,952,526 (Pribat).

Claims 1, 2, 4, 7, and 11-20 recite a method of manufacturing a crystal of a III-V compound of a nitride system, the method comprising, among other things, forming a first plurality of patterns of at least one pitch, in one position in a direction of a thickness of the crystal, and forming a second plurality of patterns of at least one pitch, in another position in the direction of the thickness of the crystal, wherein the second plurality of patterns at least partly overlies the first plurality of patterns in the direction of the thickness of the crystal and at least partly does not overlie the first plurality of patterns in the direction of the thickness of the crystal, and wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other.

As stated on page 6 of the Office Action, Pribat does not disclose or suggest forming a first plurality of patterns of at least one pitch and forming a second plurality of patterns of at least one pitch, wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other. Applicant respectfully disagrees with the Examiner that it would have been obvious to modify Pribat to obtain the claimed invention. The Examiner has not shown suggestion or motivation in Pribat or in the knowledge generally available to one of ordinary skill in the art to modify Pribat to obtain the claimed invention, and therefore has not met his burden of proving a prima facie case of obviousness. Furthermore, by disposing apertures above insulator bands to provide access to the bands for growing monocrystalline silicon thereon, Pribat teaches away from the claimed invention of providing differing pitches to facilitate ensuring no dislocations reach the surface of a crystal substrate. Accordingly, the Section 103 rejection of claims 1, 2, 4, 7, and 11-20 is improper and should be withdrawn.

111 Amendment
09/728,193 (09792909-4714)
Page 12

Claims 23 and 24 recite a method of manufacturing a device by forming a device film on a surface of one of a crystal substrate and a crystal film, the method comprising, among other things, forming a first plurality of patterns of at least one pitch in one position in a direction of the thickness of the crystal, and forming a second plurality of patterns of at least one pitch, in another position in the direction of the thickness of the crystal, wherein the first plurality of patterns at least partly overlies the second plurality of patterns in the direction of the thickness of the crystal and at least partly does not overlie the second plurality of patterns in the direction of the thickness of the crystal, and wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other.

As discussed above, Pribat does not disclose or suggest forming a first plurality of patterns of at least one pitch and forming a second plurality of patterns of at least one pitch, wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other. Accordingly, the Section 103 rejection of claims 23 and 24 is improper and should be withdrawn.

Applicant respectfully requests reconsideration of the rejection of claims 1, 4-6 and 8-10 under 35 U.S.C. 103(a) as being unpatentable over Pribat in view of U.S. Patent No. 6,358,854 (Fleming).

Claims 1, 4-6, and 8-10 recite a method of manufacturing a crystal of a III-V compound of a nitride system, the method comprising, among other things, forming a first plurality of patterns of at least one pitch, in one position in a direction of a thickness of the crystal, and forming a second plurality of patterns of at least one pitch, in another position in the direction of the thickness of the crystal, wherein the second plurality of patterns at least partly overlies the first plurality of patterns in the direction of the thickness of the crystal and at least partly does not overlie the first plurality of patterns in the direction of the thickness of the crystal, and wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other.

111 Amendment
09/728,193 (09792909-4714)
Page 13

As discussed above, Pribat does not disclose or suggest forming a first plurality of patterns of at least one pitch and forming a second plurality of patterns of at least one pitch, wherein the at least one pitch of pattern elements of the first plurality of patterns and the at least one pitch of pattern elements of the second plurality of patterns are different from each other. Additionally, Fleming does not make up for the deficiencies in Pribat. Rather, Fleming discloses a structured layer need not be rectangular bars arranged parallel to each other, but can take on different shapes, sizes and orientations. However, Fleming does not disclose or suggest at least one pitch of pattern elements of a first plurality of patterns and at least one pitch of pattern elements of a second plurality of patterns being different from each other. Accordingly, the Section 103 rejection of claims 1, 4-6, and 8-10 is improper and should be withdrawn.

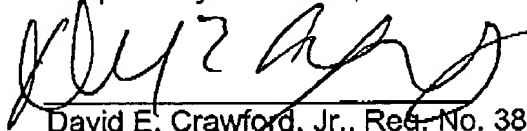
CONCLUSION

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

As the application is believed to be in condition for allowance, a favorable action and Notice of Allowance are respectfully requested.

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Respectfully submitted,



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